

Respondent 2

Federal Bureau of Investigations (FBI)-Criminal Justice Information
Section (CJIS)
1000 Custer Hollow Road
Clarksburg, West Virginia 26306-0001
(202) 324-3000

II. Basis of Jurisdiction

This Court has Jurisdiction under 18 U.S.C.A. §925A Remedy for erroneous denial of firearm “for any person denied a firearm pursuant to subsection (s) or (t) of Section 922-

(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system under section 103 of the Brady Handgun Violence Prevention Act; or

(2) who was not prohibited from receipt of a firearm pursuant to subsection (g) or (n) of section 922,

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case be, for an order that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney’s fee as part of the costs.”

III. Statement of claim

On December 2, 2017, Claimant purchased a firearm via Grab-A-Gun.com, an online Federal Firearm Licensee (FFL) based in Coppell, Texas. This firearm was sent from Grab-A-Gun.com to MDRF Enterprises, an FFL based in St. Louis, Missouri; for the purpose of transfer to Claimant. Following prescribed procedure MDRF Enterprises contacted the National Instant Criminal Background Check System (NICS), creating an NICS Transaction Number (NTN) #100G65X3X for the background check and this check returned a “Denied” response.

On January 16, 2018, Claimant sent a request for information from the NICS section with regard to the initial “Denied” response. NICS sent 1st letter to Claimant which only stated he was “disqualified pursuant to 18 USC”. Claimant then submitted an online NICS dispute (April 9, 2018), which in part, included a Missouri State Patrol ‘rap sheet’ providing no prohibitive matters.

On April 12, 2018, Claimant recieved 2nd letter from NICS stating information originated from St. Clair County State’s Attorney Office (Belleville, Illinois); would violate Title 18, § 922 (g) or (n)

On April 16, 2018, Claimant sent documentation to NICS, which included information properly nullifying its original "Denied" response. Claimant received sent 3rd letter from NICS stating that Claimant was specifically prohibited for firearm transfer—"for 18 U.S.C. §922 (n) is under indictment for a crime punishable by imprisonment for a term exceeding one year"

The United States via its agencies (ATF, FBI-NICS) have improperly denied Claimant his right to lawfully receive a firearm based on information that does not violate Federal or State law to prohibit him from purchasing a firearm.

IV. Relief

Claimant requests this court order the United States via its ATF & FBI-NICS agencies and any attached agents to correct its CJIS section records to show that there are no factors which prohibit him from purchasing a firearm and to authorize the transfer of firearm.

V. Certification and Closing

I certify to the best of my knowledge, information, and belief that the information propagated therein is true and correct under penalties of perjury without Title 28 USC §3002(15), §1746(1) and submit by FRCP 5(d)(4).

Signed this 13TH day of SEPTEMBER, 2018.

Signature of Claimant

 ALVIN L. BROWN